

Message Text

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PAGE 01 STATE 192668
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FM SECSTATE WASHDC
TO AMEMBASSY LONDON PRIORITY
AMEMBASSY PARIS

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TAGS: EAIR, EN, FR

SUBJECT: CIVAIR: UK-FRENCH AIDE-MEMOIRE

1. UK AND FRENCH EMBASSY OFFICERS CALLED ON DIRECTOR,
OFFICE OF AVIATION JULY 31 TO PRESENT JOINT AIDE-
MEMOIRE ON CONCORDE.
TEXT OF WHICH FOLLOWS:

QUOTE THE BRITISH AND FRENCH GOVERNMENTS WELCOME THE
FACT THAT THE UNITED STATES GOVERNMENT IS PROMULGATING
A NOISE RULE WHICH FORMALLY ACCORDS TO THE 16 CONCORDES
OF THE CURRENT PRODUCTION PROGRAMME UNRESTRICTED RIGHT
OF OPERATION AT MAJOR US AIRPORTS SUBJECT ONLY TO NON-
DISCRIMINATORY LOCAL REGULATIONS. HOWEVER, THE TWO
GOVERNMENTS CONTINUE TO MAINTAIN JUST AS STRONGLY THE
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PAGE 02 STATE 192668

POSITION WHICH THEY HAVE PREVIOUSLY AFFIRMED ON SEVERAL
OCCASIONS ON THE LIMITS WITHIN WHICH THE POWERS OF
LOCAL AUTHORITIES ARE EXERCISED SINCE THE FEDERAL
AUTHORITIES ARE BOUND BY TREATIES ON THESE MATTERS.

THE NOISE RULE ENDS YEARS OF UNCERTAINTY WHICH HAVE
ADVERSELY AFFECTED THE OPERATION OF CONCORDE. HITHERTO,

BY ITS DECISION OF 4 FEBRUARY 1976, THE US GOVERNMENT

HAS ALLOWED CONCORDE TO OPERATE ONLY BETWEEN LONDON OR PARIS AND WASHINGTON OR NEW YORK, AND THEN ON A LIMITED AND TRIAL BASIS. INDEED ACCESSION THIS BASIS TO NEW YORK WAS OBTAINED ONLY AS RECENTLY AS NOVEMBER 1977 AFTER SUCCESSFUL BUT PROTRACTED LITIGATION BY BRITISH AIRWAYS AND AIR FRANCE WITH THE AIRPORT AUTHORITY.

AT THE SAME TIME, THE BRITISH AND FRENCH GOVERNMENTS REGISTER THEIR DISAGREEMENT WITH THE NOISE LEVELS IMPOSED BY THE US GOVERNMENT ON ANY FUTURE CONCORDES BEYOND THE FIRST 16. SUCH A REQUIREMENT IS CONTRARY TO ESTABLISHED PRACTICE ON AIRCRAFT NOISE BOTH IN THE UNITED STATES AND IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO). IT IS ALSO A UNILATERAL NATIONAL ACT IN A SPHERE IN WHICH ICAO IS ALREADY ENGAGED IN SEEKING AN AGREED INTERNATIONAL RULE.

IT WAS IN A CONSTRUCTIVE SPIRIT THAT THE BRITISH AND FRENCH GOVERNMENTS SUGGESTED IN EVIDENCE IN THE RULE MAKING PROCESS THAT THE US GOVERNMENT SHOULD ADDRESS ITSELF NOT TO THE NUMBER OF CONCORDES BUILT BUT TO THE NUMBER OF CONCORDE MOVEMENTS AT US AIRPORTS. SUCH AN APPROACH WOULD NOT HAVE ARBITRARILY RESTRICTED LANDING RIGHTS TO THE 16 AIRCRAFT IN THE PRESENT PRODUCTION PRO-LIMITED OFFICIAL USE

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PAGE 03 STATE 192668

GRAMME WHILE STILL PROVIDING THE MEASURE OF ENVIRONMENTAL CONTROL WHICH WAS SOUGHT IN THE RULE-MAKING PROCESS.

ACCORDINGLY, SHOULD THE BRITISH AND FRENCH GOVERNMENTS DECIDE IN THE FUTURE TO AUTHORIZE THE PRODUCTION OF A FURTHER BATCH OF CONCORDES, THEY RESERVE THE RIGHT TO REOPEN WITH THE US GOVERNMENT THE QUESTION OF THE ABILITY OF THOSE AIRCRAFT TO OPERATE INTO AND OUT OF THE UNITED STATES. UNQUOTE.

2. APPROACH WAS LOW-KEY AND TIMED TO COINCIDE WITH EFFECTIVE DATE FOR FAA FINAL SST NOISE RULES. UK EMBASSY HAD ADVISED DEPARTMENT EARLIER THAT JOINT APPROACH WILL BE MADE QUOTE FOR THE RECORD UNQUOTE. RE PARA 5 OF AIDE-MEMOIRE, UK AND FRENCH EMBASSY OFFICERS CONFIRMED THAT THERE ARE NO PRESENT PLANS TO PRODUCE ADDITIONAL CONCORDES. VANCE

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